

Message Text

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FM AMCONSUL MONTREAL

TO SECSTATE WASHDC 6346

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FROM USREP ICAO

E. O. 11652: N/A

TAGS: PORG, EAIR, ICAO

SUBJ: ICAO - REPRESENTATION OF VIETNAM AND CAMBODIA

1. FOLLOWING LETTER TRANSMITTED BY TELEGRAM IN VIEW OF CANADIAN POSTAL STRIKE AND UNCERTAINTY OF MAILS. TO REPS ON COUNCIL FROM PRES/COUNCIL DATED JUNE 2: QUOTE: RELATIONS WITH CAMBODIA AND SOUTH VIET-NAM. 1. WE HAVE BEEN INFORMED BY THE UNITED NATIONS THAT ON 30 APRIL 1975 THE MINISTER OF FOREIGN AFFAIRS OF THE ROYAL GOVERNMENT OF NATIONAL UNIT OF CAMBODIA ("GOUVERNEMENT ROYAL D'UNION NATIONALE DU KAMPUCHEA") ADDRESSED A COMMUNICATION TO THE UN SECRETARY GENERAL DECLARING THAT THE SEAT OF CAMBODIA AT THE UNITED NATIONS AND ASSOCIATED ORGANIZATIONS (ORGANISATIONS ANNEXES") AUTOMATICALLY BELONGED TO HIS GOVERNMENT. THE UNITED NATIONS HAS RECOGNIZED THAT REPRESENTATIVES OF CAMBODIA IN THE UNITED NATIONS.

2. WE HAVE ALSO BEEN INFORMED BY THE UNITED NATIONS THAT ON 4 MAY 1975 THE MINISTER OF FOREIGN AFFAIRS OF THE REPUBLIC OF SOUTH VIET-NAM ADDRESSED A COMMUNICATION TO THE UN SECRETARY GENERAL ASKING HIM TO SEE TO IT THAT THE REPRESENTATION OF THAT COUNTRY IN THE SPECIALIZED AGENCIES, BE ASSURED BY THE PROVISIONAL REVOLUTIONARY GOVERNMENT OF SOUTH VIET-NAM. THE UN SECRETARY GENERAL REPLIED THAT SOUTH VIET-NAM SHOULD ADDRESS

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ITSELF TO EACH OF THE SPECIALIZED AGENCIES CONCERNED. AT THE

RECENTLY HELD WORLD HEALTH ASSEMBLY OF WHO AND THE SEVENTH CONGRESS OF WMO THE CREDENTIALS OF THE DELEGATES DESIGNATED BY THE SOUTH VIET-NAM GOVERNMENT WERE ACCEPTED.

3. WE MAY EXPECT TO RECEIVE IN DUE TIME COMMUNICATIONS FROM CAMBODIA AND SOUTH VIET-NAM REGARDING THEIR REPRESENTATION IN ICAO. WHEN THAT HAPPENS, WE SHALL HAVE TO MAKE THE NECESSARY AMENDMENTS IN THE LIST OF NAMES OF ICAO CONTRACTING STATES AND START COMMUNICATING WITH THE NEW GOVERNMENTAL AUTHORITIES. I DO NOT THINK THERE ARE ANY LEGAL DIFFICULTIES WITH THIS PROCEDURE, SINCE THE STATES ARE THE SAME AND ONLY THEIR NAMES AND GOVERNMENTS HAVE CHANGED. IT IS NOT THE FIRST TIME THAT ICAO HAS FACED SUCH A SITUATION. FOR INSTANCE, PRECISELY IN THE CASE OF CAMBODIA, A CHANGE IN ITS GOVERNMENT IN 1970 WAS FOLLOWED BY A CHANGE IN NAME FROM CAMBODIA TO KHMER REPUBLIC, A FACT THAT WAS REFLECTED IN THE LISTING OF OUR CONTRACTING STATES (COMPARE THE LIST IN APPENDIX 1, PART I OF THE ANNUAL REPORT FOR 1970. DOC 8918, WITH THE SAME APPENDIX IN THE 1969 REPORT, DOC 8869).

4. DUE TO POSSIBLE DELAYS IN THE ADMINISTRATIVE PROCESSES OF BOTH NEW GOVERNMENTS AND IN POSTAL SERVICES, THE EXPECTED COMMUNICATIONS FROM CAMBODIA AND SOUTH VIET-NAM MAY TAKE LONG TO ARRIVE. FROM THE POINT OF VIEW OF INTERNATIONAL CIVIL AVIATION THERE IS GREAT INTEREST IN ICAO'S HAVING NORMAL CONTACTS AS SOON AS POSSIBLE WITH THE APPROPRIATE GOVERNMENTAL AUTHORITIES IN THE TWO COUNTRIES. IN EFFECT, RECENT DEVELOPMENTS IN BOTH COUNTRIES, PARTICULARLY IN SOUTH VIET-NAM, HAVE GREATLY AFFECTED EFFICIENT AIR NAVIGATION IN THE AREA. THE SAIGON ACC IS NOT OPERATING AT PRESENT AND UNDER A CONTINGENCY PLAN THE RESPONSIBILITY FOR PROVISION OF FLIGHT INFORMATION SERVICES OVER THE HIGH SEAS WITHIN THE SAIGON FIR AND UIR IS BEING SHARED BY THE BANGKOK, HONG KONG AND SINGAPORE ACCS. THIS IMPOSES A RATHER HEAVY BURDEN ON THE THREE ACCS; MORE IMPORTANT EVEN, SINCE COMMERCIAL AIR OPERATIONS OVER THE TERRITORIES OF CAMBODIA AND SOUTH VIET-NAM ARE NOT PERMITTED AT PRESENT, THE LONG DETOUR REQUIRED BY THE CONTINGENCY PLAN SERIOUSLY PENALIZES CIVIL AIR TRANSPORT OPERATIONS.

5. I AM HOPEFUL THAT NORMALIZATION OF ICAO RELATIONS WITH THE CIVIL AVIATION AUTHORITIES IN BOTH STATES WOULD BRING IMPROVEMENTS
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IN THE SITUATION AND OUR BANGKOK REGIONAL OFFICE COULD PLAY AN IMPORTANT ROLE IN THIS REGARD. THEREFORE, TO ACCELERATE THE PROCESS, WE INTEND TO SEND CABLES TO CAMBODIA AND SOUTH VIET-NAM REFERRING TO THE RESPECTIVE COMMUNICATIONS TO THE UNITED NATIONS, SEEKING CONFIRMATION OF THEIR CONTENTS SPECIFICALLY WITH REGARD TO ICAO, AND ASKING THEM TO NOTIFY US OF THE TITLES AND ADDRESSES OF THE AUTHORITIES RESPONSIBLE FOR CIVIL AVIATION. AS SOON AS WE RECEIVE THEIR REPLIES, IF THEY ADEQUATELY COVER THE ABOVE-MENTIONED

POINTS, WE SHALL PROCEED AS INDICATED IN THE THIRD PARAGRAPH OF THE PRESENT MEMORANDUM AND WE SHALL ALSO GIVE APPROPRIATE INSTRUCTIONS TO OUR BANGKOK REGIONAL OFFICE.

THE FORMER "REPUBLIC OF VIET-NAM" WAS NOT A MEMBER OF THE UNITED NATIONS BUT HAD PERMANENT OBSERVERS TO THE UN IN NEW YORK AND IN GENEVA. IN REPLYING TO THE COMMUNICATION OF 4 MAY 1975, THE UN SECRETARY GENERAL HAS INDICATED THAT HE WILL RECOGNIZE THE OBSERVERS DESIGNATED BY THE REPUBLIC OF SOUTH VIET-NAM AND THAT AS SOON AS HE RECEIVES THEIR NAMES HE WILL, IN ACCORDANCE WITH THE USUAL PRACTICE, COMMUNICATE THEM TO THE GOVERNMENTS OF THE UNITED STATES AND SWITZERLAND, AS HOST GOVERNMENTS TO THE UN. UNQUOTE.

HARPER

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